

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANTOLIN ANDREW MARKS,

Plaintiff,

v.

UNITED STATES OF AMERICA *et al.*,

Defendants.

Case No. C06-5696RBL

ORDER

This Bivens action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4.

Mr. Marks now litigates under a sanction as a result of improper filings. As part of that sanction documents filed by Mr. Marks are submitted under seal for court review. Mr. Marks has filed three documents since entry of the last order (Dkt. # 40, 42, and 44). Dkt. # 40 is an amended motion to the District Court Judge for a stay in consideration of the pending Report and Recommendation to dismiss this case. **Dkt. # 40 is now UNSEALED.** This motion was denied when the court adopted the Report and Recommendation and dismissed some of the named defendants in this action (Dkt. # 43).

Dkt. # 42 is a "Notice" to the court regarding access to court issues. **Dkt. # 42 is now UNSEALED.** Plaintiff is cautioned the court does not conduct business by "notice."

Dkt. # 44 is a motion for default. **Dkt. # 44 is now UNSEALED.** This is a dispositive motion that

1 should be addressed in a Report and Recommendation. The clerk's office is directed to send copies of this
2 order to plaintiff and counsel for defendants.

3 The clerk's office is directed to send copies of this order to plaintiff and counsel.
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5 DATED this 15 day of November, 2007.
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7 /S/ J. Kelley Arnold
8 J. Kelley Arnold
9 United States Magistrate
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